

In the Matter of)
)
 Amendment of Section 73.3555(e) of the) MB Docket No. 13-326
 Commission's Rules, National Television)
 Multiple Ownership Rule)
)

Released: December 20, 2016

1. On September 7, 2016, the Commission released a *Report and Order* adopting a final rule in this proceeding that eliminated the UHF discount, which previously allowed commercial broadcast television stations to discount the coverage of certain stations when calculating compliance with the national television audience reach cap.¹ On November 23, 2016, a petition for reconsideration (Petition) of this action was filed jointly by ION Media Networks (ION) and Trinity Christian Center of Santa Ana, Inc. (Trinity).² Based on the date that the summary of the Commission's Public Notice regarding the filing of this Petition was published in the *Federal Register*, oppositions to the Petition are currently due December 27, 2016, and replies to oppositions are due January 6, 2017.³

2. On December 15, 2016, Andrew Schwartzman, counsel for Free Press, Common Cause, the Media Alliance and the United Church of Christ, Office of Communications, Inc. (collectively the Movants) filed a motion for extension of time to file oppositions and replies in response to the Petition.⁴ Movants seek a 14-day extension of the deadline to file oppositions and a 17-day extension of the deadline to file replies, or until January 10, 2017, and January 23, 2017, respectively. Movants state that, due to end-of-year holidays, the current schedule would make it difficult for counsel to consult with clients and to prepare oppositions and replies that would result in a full and complete record in this matter.⁵ Movants further discuss potential difficulties for the Commission related to the consideration of this record in light of the impending transition to a new administration.⁶ Finally, Movants state that a

¹ *Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule*, MB Docket No. 13-236, Report and Order, 31 FCC Rcd 10213 (2016).

² *Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule*, Petition for Reconsideration of ION Media Networks and Trinity Christian Center of Santa Ana, Inc., MB Docket No. 13-236 (filed Nov. 23, 2016).

³ 81 Fed. Reg. 89421 (Dec. 12, 2016). *See also* Amendment of Section 73.3555(e) of the Commission's Rules, *National Television Multiple Ownership Rule*, Public Notice, Rep. No. 3057 (rel. Dec. 1, 2016).

⁴ *Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule*, MB Docket No. 13-236, Motion for Extension of Time (filed Dec. 15, 2016).

⁵ *Id.* at 1.

⁶ *Id.* at 2.

short delay will not interfere with consideration of the Petition,⁷ and that Petitioners ION and Trinity do not object to the requested extension of time.⁸

3. As set forth in Section 1.46(a) of the Commission's rules, extensions of time shall not be routinely granted.⁹ The Media Bureau finds, however, that the need to allow additional time to develop a fuller and more complete record in response to the Petition is good cause for waiving the Commission's rule in these circumstances. Therefore, the Media Bureau grants Movants' request for a limited extension of the deadline for filing oppositions in this matter until **January 10, 2017**, and deadline for filing replies until **January 23, 2017**.

4. Accordingly, **IT IS ORDERED** that, pursuant to sections 4(i), 4(j) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 155(c) and Sections 0.31, 0.241 and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.31, 0.241 and 1.46, the deadline for filing oppositions to the Petition **IS EXTENDED** to January 10, 2017, and the deadline for filing replies **IS EXTENDED** to January 23, 2017.

5. **IT IS FURTHER ORDERED** that the Motion for Extension of Time by Free Press, Common Cause, Media Alliance and United Church of Christ, Office of Communications, Inc. **IS GRANTED**.

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake
Chief, Media Bureau

⁷ *Id.*

⁸ *Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule*, Letter from Andrew Jay Schwartzman, Institute for Public Representation, Georgetown University Law Center, Counsel for Movants, to Marlene H. Dortch, Secretary, FCC, MB Docket No. 13-236 at 1 (filed Dec. 15, 2016).

⁹ 47 CFR § 1.46(a).